

# PASADENA STAR-NEWS

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## Caltech, NASA at odds over water cleanup bill

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PASADENA — Caltech and NASA are at odds over who should pay a \$114 million bill for ground-water cleanup near Jet Propulsion Laboratory, documents show.

Correspondence in a NASA audit shows Caltech has sought to distance itself on the issue from

JPL, which it operates for the space agency.

But Caltech said Wednesday it has moved a step closer to helping NASA foot the bill.

NASA has paid about \$17.5 million so far for preliminary cleanup of water and wells on and near JPL property believed to be contaminated with toxic chemicals dumped decades ago by lab

workers, according to a NASA audit released last year.

The audit criticizes the space agency for failing to get Caltech to put money toward the federally mandated Superfund cleanup. Caltech has operated JPL since its inception in the 1930s.

Since the report was released, NASA has designated the U.S. Army, which owned JPL from

1945 to 1958, and Caltech as partially responsible for the cleanup effort, Caltech spokesman Max Benavidez said.

"Caltech and the U.S. Army have agreed to meet with NASA to discuss remediation. We look forward to a positive result from these discussions," he said in a written statement released Wednesday.

But the audit shows that tension between NASA and Caltech about the cleanup has run deep, with the institute less than two years ago putting the responsibility wholly in the space agency's court.

The audit includes an Oct. 17, 1996, letter to NASA Administrator Dan Goldin in which former

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Caltech President Tom Everhart writes that Caltech believes the government or its space agency is responsible for "any adverse environmental impacts" at JPL.

NASA auditors say that Caltech in its letter is "essentially requesting indemnity" from responsibility for the cleanup.

"Our fear is that Caltech could be viewed by the government as a party responsible for funding the activities to remediate any significant environmental problems identified by the regulators because Caltech has had the longest relationship with JPL," Everhart wrote.

The Everhart letter focuses on ways to "improve the relationship between Caltech and NASA."

While it is paying for the Superfund cleanup, JPL never has admitted blame for potentially cancer-causing compounds first detected in wells in 1980. Water companies have closed down contaminated wells in Pasadena and Altadena or diluted them with imported, cleaner water to keep them within limits allowed by state regulations.

JPL agreed in 1990 to pay \$3 million over three years to clean cancer-causing chemicals out of water pumped from four Pasadena city wells south of the lab.

In 1962, JPL was placed on the EPA's National Priority List of the most serious hazardous waste sites that require Superfund cleanup efforts.

In February 1997, three women who attended St. Bede Catholic School near JPL sued the laboratory. A daughter of the plaintiff died of Hodgkin's disease, which the mother claims is the result of toxic chemicals dumped by JPL in the Arroyo Seco. The other plaintiffs also have the disease.

An April 1997 memo from a NASA general counsel included in the audit states that the lawsuit complicates NASA's

efforts to ask Caltech and the Army to help with the cleanup costs.

But NASA auditors said in their report that efforts by agency officials to get financial help from Caltech were insufficient. In fact, NASA had not "notified Caltech of its responsibility or initiated its negotiations with Caltech" when the report was issued, auditors stated.

NASA could recover "at least \$57 million from other responsible parties," which one NASA-hired firm identified as including Caltech, the Army, the U.S. Forest Service, the state of California and the city of Pasadena, according to the report.

"We believe that NASA's inaction may be influenced by its ongoing efforts to preserve a longstanding relationship with Caltech, efforts that may be influenced by Caltech itself," according to the report issued by NASA's Office of Inspector General.

The cost-sharing issue is on the table this month as officials negotiate terms of a five-year renewal for Caltech's contract to operate JPL, said a source with knowledge of the negotiations. The contract is worth up to \$18 million a year.

But JPL, now with a \$1.1 billion annual budget, is unlikely to lose Caltech as its operator, said another source with knowledge of the two organizations' relationship.

NASA likely will keep Caltech as JPL's operator even if the institute refuses to pay cleanup money because there is no other organization in the area suited to operate the lab, that source said.

The report states that Caltech has a conflict of interest because it oversees the Superfund cleanup at the same time it seeks to avoid putting up dollars to pay for it.

JPL spokesman George Alexander refused to comment on the report, the ongoing contract negotiations or Caltech's Wednesday statement.

Rocket-testing Caltech scientists started JPL as the Guggenheim Aeronautical Laboratory in the 1930s. Caltech surrendered ownership of the lab to the Army in 1945 but continued to operate the lab even after it was transferred to NASA in 1958.